

FILE NO. 992342RESOLUTION NO. 55-00

1 [Grant – Federal]

2  
3 AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH, POPULATION HEALTH AND  
4 PREVENTION, COMMUNITY HEALTH AND SAFETY, TO ACCEPT RETROACTIVELY  
5 AND EXPEND A GRANT IN THE AMOUNT OF \$800,000 FROM THE DEPARTMENT OF  
6 HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL AND  
7 PREVENTION, FOR THE “STRENGTHENING HIV/AIDS AND STD PREVENTION  
8 THROUGH THE USE OF BEHAVIORAL DATA IN PROGRAMMATIC DECISION  
9 MAKING” AND TO ENTER INTO AN AGREEMENT WHICH DOES NOT INCLUDE  
10 PATENT INFRINGEMENT INDEMNIFICATION AND FALSE CLAIMS CLAUSES;  
11 PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

12 WHEREAS, The Department of Public Health, Population Health and Prevention,  
13 Community Health and Safety Services, has applied for and been awarded a grant from the  
14 Department of Health and Human Services (DHHS), Centers for Disease Control and Prevention  
15 (CDC), in the amount of \$800,000, for the “Strengthening HIV/AIDS and STD Prevention  
16 Through the Use of Behavioral Data in Programmatic Decision Making”; and,

17 WHEREAS, As a condition of receiving the grant funds, DHHS, CDC requires the City  
18 to enter into an agreement (the “Agreement”), a copy of which is on file with the Clerk of the  
19 Board of Supervisors in File No. 992342; and,

20 WHEREAS, DHHS, CDC has indicated that it will not agree to any modification to the  
21 form of the Agreement; and,

22 WHEREAS, The Agreement does not contain certain provisions described below, which  
23 are required under the Administrative Code unless waived by the Board of Supervisors; now,  
24 therefore, be it

25 RESOLVED, That the Department of Public Health is hereby authorized to accept  
retroactively and expend the grant funds pursuant to San Francisco Administrative Code section  
10.170-1; and, be it

FURTHER RESOLVED, That the Director of Health is authorized to enter into the  
Agreement on behalf of the City; and, be it

Supervisor Newsom

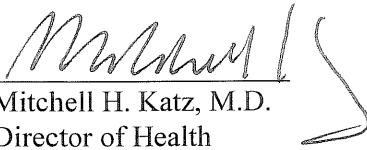
1 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement  
2 contained in Sections 6.21 and 21.19 of the Administrative Code that the Agreement include an  
3 indemnification of the City by DHHS, CDC for the infringement of patent rights; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement  
5 contained in Section 6.57 (c) of the Administrative Code that the Agreement include a paragraph  
6 reciting the false claim provisions contained in Section 6.57 (a) of the Administrative Code; and,  
7 be it



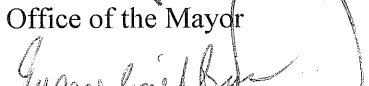
8 ~~FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of  
9 Health to enter into similar agreements with DHHS, CDC if the grant recurs or is renewed, and,  
10 be it~~

11 FURTHER RESOLVED, The Controller should be urged to designate the positions  
12 created under the grant as a "G" or grant-funded positions, which would terminate when the  
13 grant expires.

14 RECOMMENDED:

15   
16 Mitchell H. Katz, M.D.  
17 Director of Health

18 APPROVED:

19   
20 Health Commission  
21   
22 Office of the Mayor  
23   
24 Office of the Controller  
25

Department of Public Health



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails

### Resolution

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**File Number:** 992342

**Date Passed:**

Resolution authorizing the Department of Public Health, Population Health and Prevention, Community Health and Safety, to accept retroactively and expend a grant in the amount of \$800,000 from the Department of Health and Human Services, Centers for Disease Control and Prevention, for the "Strengthening HIV/AIDS and STD Prevention Through the Use of Behavioral Data in Programmatic Decision Making" and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; providing for ratification of action previously taken.

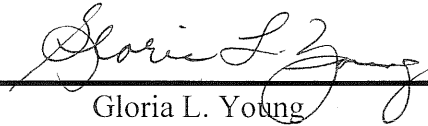
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January 24, 2000 Board of Supervisors — ADOPTED

Ayes: 11 - Yaki, Yee, Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng

File No. 992342

I hereby certify that the foregoing Resolution was ADOPTED on January 24, 2000 by the Board of Supervisors of the City and County of San Francisco.



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Gloria L. Young  
Clerk of the Board

1/26/00

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Date Approved



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Mayor Willie L. Brown Jr.